

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JULIO ALVAREZ LOPEZ,

Defendant.

CASE NO.: 2:24-CR-00034-APG-MDC

ORDER

IT IS ORDERED that pursuant to 18 USC §§4241, 4247 and FRCr.P 12.2(c), the United States Marshal Service shall forthwith transport the Defendant to a suitable Bureau of Prisons closest [unless impracticable] to the Court that conducts psychological evaluation, for psychiatric and psychological evaluation to determine whether Defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

IT IS FURTHER ORDERED that Defendant shall be held in said facility for a reasonable period of time, not to exceed 45 days, unless extended by further order of the Court upon showing good cause by the Director of the said facility or pursuant to other appropriate motion for a period of up to 30 additional days. [18 U.S.C. § 4247(b)].

IT IS FURTHER ORDERED that all of Defendants medical records from his time in the Nevada Southern Detention Center in Pahrump to be delivered to the Board of Prison psychiatrist or psychologist for purposes of the competency evaluation.

1 IT IS FURTHER ORDERED that the examination conducted pursuant to this Order be
2 conducted by one or more licensed or certified psychiatrists or clinical psychologists. [18 U.S.C.
3 § 4247(b)].
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5 IT IS FURTHER ORDERED that within 45 days from the date of the entry of this Order
6 - or such additional period as may be ordered by the Court - the Director of the said facility at
7 which the examination has been conducted shall prepare, or cause to be prepared, a Psychiatric
8 or Psychological Report to (i) the Clerk of the United States District Court for the District of
9 Nevada; (ii) Lauren Ibanez, Assistant United States Attorney; and (iii) Abel Yanez, counsel for
10 the Defendant.
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13 IT IS FURTHER ORDERED that the Psychiatric or Psychological Report shall include:
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15 (1) Defendant's history and present symptoms; (2) A description of the psychiatric,
16 psychological or medical tests that were employed and their findings; (3) The examiner's
17 findings; and (4) The examiner's opinions as to diagnosis, prognosis, whether the Defendant is
18 competent to stand trial, the test of which is whether he may presently be suffering from a mental
19 disease or defect rendering him mentally incompetent to the extent that he is unable to
20 understand the nature and consequences of the proceedings against him or to assist properly in
21 his own defense. [18 USC 4247(c)].
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24 IT IS FURTHER ORDERED that the Court finds that the period of time required by
25 Defendants psychiatric or psychological examination and the Court's determination of
26 Defendant's competency to stand trial is excludable time under the United States Constitution,
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1 the Speedy Trial Act, 18 U.S.C. 3161(h)(1)(A), and Rule 5.1 of the Federal Rules of Criminal
2 Procedure.

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4 DATED: May 6, 2025.

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7 HON. MAXIMILIANO D. COUVILLIER III
8 UNITED STATES MAGISTRATE JUDGE
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